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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE LEHMAN BROTHERS ERISA
LITIGATION

: 08 Civ. 5598 (LAK)
: and consolidated cases
:
:
:-----X

**STIPULATION AND ~~PROPOSED~~ ORDER TO UNSEAL THE
SECOND CONSOLIDATED AMENDED COMPLAINT**

WHEREAS, on September 22, 2010, the Plaintiffs filed the Second Consolidated Amended Complaint (the "SCAC");

WHEREAS, pursuant to the terms of the Protective Order issued by this Court on October 7, 2009, the Plaintiffs filed the SCAC under seal and marked it as "Confidential Information Subject To Protective Order" because it contained excerpts from confidential documents produced by certain Defendants;

WHEREAS, Defendants Richard S. Fuld, Jr., Michael L. Ainslie, John F. Akers, Roger S. Berlind, Thomas H. Cruikshank, Marsha Johnson Evans, Sir Christopher Gent, Jerry A. Grundhofer, Roland A. Hernandez, Henry Kaufman, John D. Macomber (the "Director Defendants"), as well as Defendants Wendy M. Uvino, Amitabh Arora, Mary Pat Archer, Michael Branca, Evelyne Estey, Adam Feinstein and David Romhilt (the "Benefit Committee Defendants") do not object to the SCAC being unsealed or to the confidential documents produced by Defendants and referenced in the SCAC being disseminated on a non-confidential basis

IT IS HEREBY STIPULATED AND AGREED by and between the parties that:

1. The SCAC and the documents produced by Defendants that are referenced therein may be disseminated on a non-confidential basis;

2. The Court shall order the SCAC to be unsealed; and

3. Nothing in this Stipulation shall otherwise impact the October 7, 2009 Protective Order or the documents covered thereby.

Dated: New York, New York
November 9, 2010

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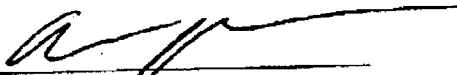
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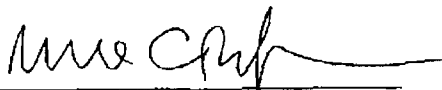
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By: Todd Fishman (11/22/2010)

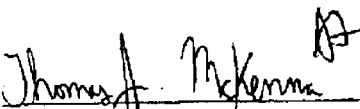
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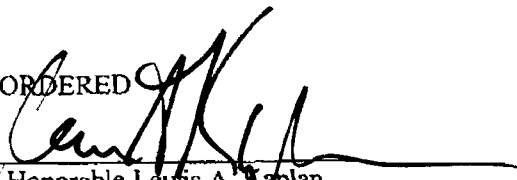
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Interim Co-Lead Counsel for Plaintiffs

Interim Co-Lead Counsel for Plaintiffs

SO ORDERED


The Honorable Lewis A. Kaplan
United States District Judge


11/30, 2010